

## DOCUMENT RESUME

ED 035 354

HE 001 268

AUTHOR Babbidge, Homer D., Jr.  
TITLE Eighth Annual Faculty Convocation.  
INSTITUTION Connecticut Univ., Storrs.  
PUB DATE 6 Nov 69  
NOTE 12p.

EDRS PRICE EDRS Price MF-\$0.25 HC-\$0.70  
DESCRIPTORS \*Administration, \*Governance, Governmental  
Structure, \*Higher Education, \*Institutional Role,  
Policy Formation, \*Student Participation  
IDENTIFIERS \*Connecticut University

## ABSTRACT

In this address, President Homer D. Babbidge of the University of Connecticut reviews a number of important issues on his campus. One of his urgent concerns is the issue of race relations in the community. He suggests devoting 1 full day each month to a community-wide consideration of whatever problem most concerns the community at that time. He discusses parietal rules and a recent "separatist movement" of the Student Senate to assume control of the dormitories. "The alternative to student separation is, of course, more effective and powerful student participation in some form of community government, based on a recognition of common interests and the legitimacy of each one's interest in the affairs of all." Rejecting the notion of a separate student government, he urges adoption of a unicameral governing body and a major overhaul of the existing governmental structure to make it more responsible to members of the academic community. Following consideration of two widely accepted assumptions about university governance, he argues that the people of Connecticut (because they "have paid for and own all of our academic facilities") deserve to participate in designing a charter or constitution of the University. He suggests that a constitutional convention be convened and that later the Board of Trustees assume the role of supreme court charged with ensuring that the actions of everyone involved in institutional legislative or executive policy have been in accordance with the constitution. (JS)

ED035354

# EIGHTH ANNUAL FACULTY CONVOCATION

By President Homer D. Babbidge, Jr.

The University of Connecticut

November 6, 1969

Mr. Provost, Ladies and Gentlemen of the Faculty:

I am, of course, pleased once again to have this opportunity to meet with the Faculty of The University of Connecticut.

Ordinarily, as you know, these affairs are devoted to a kind of state of the university report, replete with encouraging evidences of progress and titillating promises for the future.

But I am handicapped this year — more than usual — by the fact that I have enjoyed an extended holiday — a mini-sabbatical — and have only recently returned. I am myself trying to ascertain the state of the university.

Some things obviously have not changed, but I have to say that one's perspective is changed by almost three months absence from the campus. What were once local problems are now, more certainly, the problems of a larger community. My own problems are — to my mind, at least — more clearly your problems as well, and vice versa. I come back with a renewed conviction that our prospects for self-realization are increasingly dependent upon recognition of common interests.

Most importantly, I want to say that I am tremendously impressed by the atmosphere of excited and exciting activity that seems to me to characterize the campus. Both student and university senates have quickened their pace; scores of university committees are at work at a tempo that is virtually unprecedented; and individual students and faculty members seem to me to be more active and interested than ever before in the affairs of our community and those of the world at large. The University of Connecticut, I find on my return, is very much alive — more alive than I have known it to be.

But I come back to the campus to find it fraught with what we call issues. And I find I must substitute today for the usual cosmic survey, a fairly direct response to some of the issues that have accumulated on the agenda for a year that is still young.

I must begin by acknowledging that the issue of race relations in our community has and continues to command my concern above all others.

But what does a white president say to a predominantly white faculty and community?

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE  
OFFICE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL OFFICE OF EDUCATION POSITION OR POLICY.

HE 001 268

Perhaps the least he can say, is that he thinks he understands how you feel. He, after all, has grown up in a white world, and he knows it all. He knows the whole gamut of white feelings, from violent racism and snickering jokes, to condescension, to posturing liberalism, to political exploitation, to fear, and simple ignorance, to agonizing uncertainty, to earnest groping, to honest compassion, to flickering insight, to fragmentary understanding, grudging respect, and even the beginnings of love. He knows most of you have been trying to progress along that scale.

And because he knows (better than the Black does) the range of white sentiment and the progress that has been made, he knows, too, how a white man who has made some progress feels about being lumped with those who have not. He begins, when someone type-casts him as whitey, to understand how poisonous have been the insults he has himself been guilty of in the past; but it still hurts, and he knows that guilt itself isn't an adequate motivation.

He knows how you feel when the things you have worked for, believed in, over a lifetime, appear to be threatened because of what seems a secondary implication in racial conflict.

He knows what it's like to be singled out for insult or harassment, when he knows that others deserve it more.

He knows too how hard it is to sustain one's effort to be better and fairer, when no visible nod of appreciation is evident when he does.

He knows how painful and discouraging it is to see a man he's beginning to love, allow himself to be exploited by someone with whom that man shares nothing but hate.

He knows, if he's honest with himself, how easy it would be to fall back down the stairs he's climbed with such great effort.

And it's precisely because the white University president thinks he understands the attitudes and emotions of the white community, that the president's job is so hard. He knows he faces a volatile, up-tight community. And yet he knows there is only one thing he can do — to plead for yet greater effort on the part of the white world — greater restraint in the face of what he regards as unwarranted response, redoubled effort to understand, further energy expended in a cause that he feels is exhausting.

I have quoted to you before, I think, the first of Longfellow's *Poems on Slavery*; drawn from the Biblical account of the demise of Samson — blinded, betrayed, taunted, shorn of his hair who

“Upon the pillars of the temple laid  
His desperate hands, and in its overthrow  
Destroyed himself, and with him those who made  
A cruel mockery of his sightless woe;  
The poor, blind Slave, the scoff and jest of all,  
Expired, and thousands perished in the fall!”

And in a concluding verse, Longfellow made clear why the poem was entitled, "The Warning."

"There is a poor, blind Samson in this land,  
Shorn of his strength and bound in bonds of steel,  
Who may, in some grim revel, raise his hand,  
And shake the pillars of this Commonweal,  
Till the vast Temple of our liberties  
A shapeless mass of wreck and rubbish lies."

I don't need to tell you that the dangers inherent in that "Warning" are at least as great as ever. And I don't understand, for the life of me, how a student in this university — leaving considerations of morality aside — could be so stupid as to mock and taunt that Samson.

But I want to make it understood that I regard fear as an unworthy motivation, just as guilt is. Both may be there — undeniably are there — but the responses to racial tension that we make out of fear or guilt will in all probability result only in greater fear and greater guilt.

We must somehow try to leap to that level of understanding that permits us to care, about Samson. Our concern for the temple of liberties is real and lasting, and we must be and will be concerned to preserve it; but we will not have reached a conscionable goal until we are equally concerned that Samson not destroy himself.

There are among our black students as there are among our white students persons bent upon at least symbolic self-destruction. Perhaps nothing can dissuade some of them. But I persist in believing that there is yet time to heal the wounds, restore the sight, establish the dignity of others. And so I must once again plead with those of you who have it within your power to do so, to try.

Why? Because it's a little planet we live on, and we have only one another.

Of lesser importance, but nonetheless high on the list of current campus issues, is "what about the moratorium?"

While I was not officially in harness at the time, I think you are entitled to know something of my feelings about it.

First of all, I compliment Provost Gant on his handling of the entire matter. I like to think I might have handled it with similar if not equal, wisdom, had I been in harness.

You should know, if you don't already, that I have some reservations about the Moratorium of October 15. This is largely a matter — if you'll forgive me — of personal style.

I have a "thing," let me admit, about mass expression, whether it's a forceful minority appeal or an appeal to the great silent majority. The mixed motivations — ranging from high idealism to low cowardice — that can characterize such mass expression bother me; and the lack of clarity of purpose or message troubles me almost as much. It just makes me uneasy



to stand between someone who loves peace and someone who hates the President of the United States; to be uncertain whether my fellow marchers are hating sinners rather than sin. I'm capable, I think, of saying and doing my own thing -- and in my own way.

It was, from all reports, a good day. I have to admit, though, that I don't quite understand why the peaceable behavior of demonstrators attracted so much attention. Good behavior is not ordinarily good news.

The most troublesome thing about the moratorium from my point of view, was that it was one further evidence of our extraordinary ability as a community to follow. I don't mind saying that I could get a lot more enthusiastic about protest and demonstration if the idea and the motivation and organization were local. I'm frank to say that ideas originated in Washington, supported by canned news reports from the student press service, and organized according to borrowed blueprints, don't turn me on.

Now, of course, the big question is, how about this month and the next and the next? Are we going to follow along once more, even though the ghosted scenario is vastly more complicated?

The Student Senate has come up with a proposed alternative, and from what I've said already, you can imagine that I find it encouraging. They have recommended that the faculty be urged to devote class discussions on November 14 and 15 to the subject of race relations -- particularly in our own community. I have observed many times before that reform, like charity, can profitably begin at home, and I trust the Senate has in mind our own problems. I trust, too, that the Senate will respect the judgment of Black staff and students, as well as the faculty in general, with regard to the efficacy and desirability of class discussions of racism, in the hands of inexperienced faculty and students, and under circumstances that could be counter-productive. *attach #1*

*attach*  
#1 But I am prompted, by considerations of where this all might lead, to renew a proposal I have made in the past to both student and faculty leaders, but which has not--apparently--landed on fertile soil. (But I am emboldened to repeat the suggestions, by my experience with the Urban Semester--that the proposal of mine took only three years to take hold.)

*our history most concerning the community scene.*

(And before the predictable critics say that this is a ploy to undermine the Vietnam protest, let me assure you that I have impeccable witnesses to testify that I proposed the idea long before October 15 was anything more than the day after October 14th.)

This, it seems to me, makes a lot more sense than subjecting ourselves to the whims and fancies of social and political engineers based in some

Northwest Washington strategy center. If we really care about something, and if we are not bankrupt for imagination and energy, we, too, can do our own thing.

I am therefore asking the so-called deliberative bodies of the University to give me their reactions to the idea, so that their reactions can accompany my proposal to the Board of Trustees that such a policy be instituted.

It is my hope that such a policy will be adopted, and that we can then be assured of regular opportunities to air matters of community concern (without unpredictable interruption) with full institutional support and resources and — most important to me of all — the knowledge that we are thinking through our own problems in our own way.

And if issues are to be measured by the heat they generate as well as by their importance, I must say something about the so-called “parietal” issue. In its outline, I am sure you are familiar with it.

The Student Senate has taken one view that dormitory units should be free to allow intervisitation of the sexes at any time of day or night. It's not at all a surprising posture; if I were an undergraduate today, I feel pretty certain I'd favor the freest possible policy of intervisitation. Contrary to a suggestion in the pages of the *Connecticut Daily Campus*, I am a believer in heterosexuality. Indeed, I'm an enthusiast.

But I would like to think, too, that if I were a student today, I would *not* take the view that the decision to establish dormitory rules was my decision alone. I know I wouldn't like to have the president or Board of Trustees make that decision unilaterally, and I don't think I'd presume myself to make it unilaterally.

I recognize that it's popular these days to talk in terms of “power,” including “student power.” And I have heard it said that the Student Senate action is an exercise in student power.

Well, I for one have no objection to student power. I think they should have more power than they now do, and I think I have a record in support of that view.

But I do think students would do well to reflect more than they have, on the nature of the power they seek and the areas in which they seek to exercise it.

If the Student Senate action on intervisitation is, in fact, an assertion of student power, it is clearly a move in the direction of a policy of what I would call separatism. It is clearly an effort to define a “sphere of influence” for students, roughly analogous to what they regard as the “sphere of influence” of the faculty. There are, the action implies, areas of university life (such as student social affairs) that are the exclusive concern of students, just as more academic matters have been the exclusive concern of faculty.

The question must be raised, however, whether two wrongs make a right.

The great danger with the student separatist movement is that it has a self-excluding consequence in those areas that cannot clearly be defined as within the sphere of student primacy. If some things are clearly within the student's province, then some others clearly are not. I, for one, would not want to take the risk of saying that I'm going to dictate my own dormitory life, if in doing so, I ran the risk of conceding that someone else could properly but unilaterally dictate my academic life.

But I'm talking about how I think I'd feel if I were a student today. What if our students don't feel that way, and are in fact bent on separatism, and the definition of a sphere of student influence, the creation of their own community?

It is not at all impossible to do so, and the possibility should certainly be considered. From what I am told of the Norwegian system, we are not without models or experience in this approach.

One's first instinct is to think of all the advantages. Students will think immediately of the new-found freedoms inherent in self-determination; and administrators will glow at the prospect of being freed from the burdens of responsibility. But the responsibility that is lifted from one set of shoulders has got to land somewhere.

Let's assume for the moment that we were to set our dormitories free from the University in some way. And let us assume that this had no educational ramifications of any sort. Some questions come immediately to mind.

Given a transient population with high turnover, to whom would fall the responsibility for paying off the mortgage? Given freedom from the clutches of University Housing Director Sumner Cohen, who would manage the janitorial and maintenance tasks? Who would collect the rent?

Given freedom from a system of Dormitory Resident Advisors, who would enforce whatever rules were adopted? Could law enforcement agencies be persuaded that these now "rooming houses" were to be treated in any preferred or special way?

How long could tax officials be persuaded to exempt these rooming houses from local taxation? The Cornell fraternity tax case makes it clear that a residence even if it houses students cannot be exempted unless it is demonstrably and intimately related to the purposes of an educational institution.

I recognize that these are annoying obstacles to the free flight of student fancy. But they are only a sample of the real obstacles that lie down the road of separation. If students want independence, they're going to have to swallow the whole dose.

But I don't think that student power *need* mean student separation, with all its self-exclusions and all the burdens of real responsibility.

The alternative to student separation is, of course, more effective and powerful student participation in some form of community government,



based on a recognition of common interests and the legitimacy of each one's interest in the affairs of all.

This is the course of development I would urge on this University community, and the subject to which I would address the remainder of my remarks this afternoon.

It is necessary, of course, if student power is to be meaningful in this context to identify the range of true University concerns and arrive at some sense of the appropriate voice for students in that common council.

One knows that any proposal for student representation in a University-wide council will seem like too much to some and too little to others. And there is no approach I know to the resolution of this kind of question other than through responsible compromise. But there may be some basis in logic for approaching the problem.

One can (at some peril, to be sure) take account of the strengths and weaknesses of student contribution to University governance. For what they are worth, I offer the following personal observations:

I believe students rate high marks in imagination, idealism, freedom from outdated habit and custom, native intelligence, energy, concern and stake in the future society. They rate low grades in my judgment in experience, knowledge, skills (such as the ability to articulate), and in a sense of responsibility for the long-term institutional consequences of their views. This last is simply a function of their transient status within the community, but it is the student's greatest single weakness when it comes to institutional governance. He won't be around in four years.

The trouble with a separate student government as I have seen it, is that its weaknesses undermine the effectiveness of its strengths, at least in its relationships with non-students. And student government can't expect to be taken seriously if, every time it makes what adults adjudge a mistake or what students themselves in retrospect regard as an error, it hides behind the plea, "after all, we're only students."

I really believe a unicameral body would reflect the strengths, rather than the weaknesses, of the several constituencies represented therein. I believe that student participation in such University-wide governance, would do more for the community *and more for the interests of students*, than would separate student government.

But I am also confident that the student voice should be a substantial minority voice in any comprehensive legislature. Direct proportional involvement on a one-man-one-vote basis seems to me palpably unrealistic.

I would therefore endorse in principle the proposal of Mr. Jerman, President of the Student Body, that we undertake to create a single legislative body representing students, faculty and officers of administration, with broad powers to formulate policy, and provide internal governance for the University community.

The creation of such a comprehensive University Senate would be effective of course, only if it were accompanied by other changes in governance of a character at least as dramatic.



In my view, we should consider seriously a major overhaul of our university government, with the object in view of simplifying it, making it more generally responsive, and making representative members of the university community clearly and unmistakably accountable for their policy leadership.

We have, I think, too many pockets of power scattered throughout the institution — no one of them capable of mounting a positive program of action, but virtually every one of them capable of undermining any general effort of the community as a whole.

We need, I strongly believe, to streamline our internal governing structure.

I had some things to say the other evening at Yale on the subject of university governance, which I thought important. But since our local press does not appear to regard them as newsworthy, I am going to take the liberty of repeating some of them today. I was speaking particularly of the office of the president in a modern university: "As the cares and responsibilities of his office have increased, and the hours of the day and his ounces of energy and gray matter have remained constant, the real authority of the university president has declined. Arbitrary authority is long gone, and the modern president finds himself relying increasingly upon his powers of persuasion.

"In some important respects the president is being asked to lead in a way that requires far more power and authority than he has and, in some respects, more power and authority than it is wise to give him. Aggressive critics expect 'the man' to short-circuit the procedures that have been devised over time to protect individuals and groups within the community. Some of those procedures are admittedly archaic, but it is a perilous business for the administrator who is asked to play surgeon, to try and distinguish — in an atmosphere of murky tension — between red tape and arteries."

I argued in those remarks that we must look to political models for guidance.

"The university community, broadly defined, is so comprehensive, its goals and values so largely intangible, the measure of its successes so largely subjective, that it requires a form of governance analogous in some respects at least to political government."

And insofar as the presidency itself is concerned, "I proceed from the assumption that an academic body will always have a head. But it will be increasingly important that the nature of his authority to lead be fully evident. Nothing is more damaging to the role of the president than the pernicious gossip that he's 'lost the support' of the faculty, the student body, the alumni, the legislature or some other of his multiple constituencies. There was more than pathos in James Perkin's observation that the support of his faculty was not evident until after he announced his resignation from Cornell.

"And from the president's point of view — to say nothing for the moment of the interests of the institution — it becomes increasingly important to know whether or not he enjoys some degree of general support for his continuation in office. He'll know quickly enough, of course, if his Board of Trustees desire him to leave. But I'm thinking of those major constituencies without whose general approval he obviously cannot lead, and which do not enjoy the straightforward relationship with him that the governing board does.

"Two basic political approaches to this problem can be identified at once. The first — what might be called the American approach — would be election or appointment for terms in office. Depending on how one resolves the contending claims of stability and continuity on the one hand, and responsiveness and popularity on the other, these terms could be for two, four, six or even ten years. But given the nature and rate of change in our society, some argument could be made for a term of four years or even less. One has only to recall the shift in popular support for a recent U. S. President, to realize that the last of four years in office can be most difficult.

"But more intriguing to me is the other obvious major political analogy — the parliamentary approach. It seems to me inherently more congenial to the academic community, and I am reasonably confident that its major shortcoming, the danger of a lack of continuity in leadership, would be to some extent self-controlling in an academic community. Most important to me, however, is the recognition that crises can occur suddenly and frequently in the modern university, and a crisis of confidence can arise with only a moment's notice. And I see great advantage to both institution and president in being able to make the assessment reflected in a vote of confidence.

"I should take note of the fact that a common suggestion for relieving the plight of the president, if not the presidency, is the Chancellor-President system of leadership. It is a kind of 'Mr. Inside and Mr. Outside' arrangement most often, with one doing the executive job and the other performing the ceremonial duties. This is not incompatible with my notion, but I must say that I don't think the dual-leadership approach can be effective unless one of them — the prime minister, as opposed to the head of the royal family — is more immediately accountable to the community than university presidents now are. A continuing long-term president would be feasible only if the 'popular leader' were vulnerable to a vote of no confidence.

"The essential points seem to be these: the modern university president must have more authority than he now has if he is to lead in any real sense; this authority cannot effectively be bestowed upon him solely by a traditional governing board, nor can it be extracted from those who now share authority with him; he can only earn it or win it, and he can only hold it and exercise it so long as he enjoys the confidence of those to be

led, or their representatives, and he can enjoy that authority only if he is ready to put it on the line."

I have spoken of a streamlined system of internal governance, but there is more to be said. But I am frank to say that I have heard so little attention given to what I regard as an issue of great magnitude and importance to us, that I feel obliged to impose on your patience.

On the subject of university governance there are, of course, simplists who already know the answers. These range, by analogy, from anarchists to supporters of papal infallibility. There are those who believe in the legend of the ancient inner directed university, but they have not read their history; and there are those who subscribe to the Cordova Convention, but they wouldn't be caught dead enrolling in a Latin university. There is a lot of casual talk and some nonsense recorded on the subject, but I have heard of very little serious or rigorous thinking.

In the confident knowledge that what I have to say today will be suspect, I must at least have a go at a couple of suggestions, and invite you of the faculty — and the student body — not simply to tell me what's wrong with them or how difficult to implement they are — I know that already; but challenge you to come up with something better.

I start really from two assumptions about University governance, which I take it are widely supported:

- 1) We would like to enjoy a high degree of self-determination.
- 2) We want as free an atmosphere as possible in which to live and work.

At least I want these things, and I think that even my most radical critics want them, too. Why, then, if we're all agreed, have we not achieved these goals?

Two obvious major reasons come to mind, along with a flood of lesser ones:

First, we are a strangely mixed community that has great difficulty in agreeing on its goals, its values and its priorities. It has great difficulty in agreeing even that it is a community. But this is true of every political entity I know of, and I therefore believe that a system of governance can be devised to reconcile conflicts to the satisfaction of all but zealots.

Secondly, and of more immediate importance, we are not a complete community. To put it in the most flat-footed terms, we don't raise our revenues within our own society. If we were taxing ourselves to sustain our educational efforts, we could make a stronger case than we now can, for a policy of pure self-governance. As it is, the people of Connecticut have paid for, and own, all of our academic facilities, and this year appropriated some \$40 million to sustain our programs of teaching, research and public service. It seems to me sheer folly to think of a system of institutional government that disregards the public interest in the educational affairs of the University.

As you all know, the interest of the public in what we do here is represented by the Board of Trustees of the University, and all funds appropriated by the people are appropriated to that Board, just as all authority is invested in the Board. This is a common pattern of long standing and one that I happen to believe has worked well. But it is not perfect, and a great deal has been made lately of its imperfections, both by members of the University community who believe the Board insensitive to their feelings, and, believe me, by the public who feel it is insensitive to popular feeling. It's not an enviable spot to be in, and I for one am grateful to the men and women who voluntarily place themselves in this hazardous position of trust.

Now if you believe as I do, that a public university is a very special and even fragile asset in a free society, and that it yet must somehow or other be accountable to the people who created it and who sustain it, you tamper with the lay trustee concept only at great risk and peril. But let me show the temerity to offer a few suggestions in this regard.

It seems to me possible that what the people of this State need by way of protection of their interests is a clear statement of university purposes and goals, approved by the people, and the accompanying assurance that those who govern the institution serve in every instance those purposes and goals and the values inherent in them.

I'm talking, if you will, about a Charter — even a Constitution of the University — that has the endorsement of the people of the state; and I'm talking, too, about a mechanism to ensure that the actions of university officers are consistent with that charter — that they are, in fact, constitutional.

There exists no such constitution, and the suggestions of a charter, that we do have, are fragmentary and wholly inadequate. And this is a principal reason for confusion in our governance. Every faculty member and student, every trustee, every legislator and citizen, has ample justification for thinking that any given action by one of the other parties to our uncertain compact, may in fact violate *his* notion of the unstated charter.

And while you may regard it as an airy dream, let me suggest to you that a "constitutional convention" might be convened; that the constitution thus devised could be put before the people of the State of Connecticut; that with their approval it could become an article of the Constitution of the State of Connecticut, subject then to change only by further State constitutional procedure.

And let me suggest further that the Board of Trustees could then assume the role of Court — supreme court, if you will — charged with ensuring that the actions of each and every one of us involved in institutional legislative or executive actions, had acted in accord with our institutional constitution. And any one of us, as well as any citizen, could bring before that court, a question regarding the constitutionality of any university policy or action.



If, as I believe, the existence of the Constitution and the court would satisfy the public interest in their University, we as students and faculty and administrators would be free to follow a policy of self-government limited only by the provisions of that constitution and within our financial capabilities.

If you tell me that we could never agree on such a constitution, I have to say that you would then be conceding that we don't know what it is we are, or seek to be.

And if you tell me that the kind of constitution that would appeal to us would be unacceptable to the people of the State, then I have to say that we're currently taking their money under false pretenses.

But I happen to believe that we are capable of creating a constitution, and one that the people of this State can support. And I know that, this done, our aspirations to self-governance can be realized.

Without it, we will always be vulnerable from without and within, and our local deliberations will always have about them that tentative quality, that tenor of uncertainty that deprives us of much of the satisfaction of self-government.

Well, there, for what they're worth, are my thoughts — as of November 6, 1969 — on institutional governance. They cannot be the best answers available to our questions. But they're openers, and they're openers in a game in which the stakes are high.

To indulge once more in the unforgivable sin of quoting myself: "We are concerned with governing a free society, knowing that the freer it is, the more difficult it will be to govern; and knowing, too, that if it cannot be governed, it cannot be free."